

## REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow. Claims 1-79 were pending at the time of the outstanding Office Action. Of these claims, claims 1-14, 30-40 and 53-65 have been withdrawn. Claim 67 has been amended to address a typographical error. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

### **Allowable Subject Matter:**

Applicant thanks the Examiner for indicating that claims 20, 22, 28, 29, 46, 48, 71, 73 and 79 contain allowable subject matter.

### **Prior Art Rejections:**

Claims 15-18, 23-27, 41-45, 47, 49-52, 66-70, 72 and 74-78 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication 2006/0025161 to Funato et al. (hereinafter "Funato") in view of U.S. Patent Application Publication 2001/0029178 to Criss et al. (hereinafter "Criss"). Claims 19 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Funato in view of Criss and further in view of U.S. Patent 7,155,262 to Shoobridge (hereinafter "Shoobridge"). These rejections are respectfully traversed for at least the reasons given below.

Independent claim 15 recites a "wireless communication system including a radio-signal base station, and at least one mobile wireless terminal which operates in a power-saving mode in which said mobile wireless terminal intermittently receives packet signals, and in a normal mode in which said mobile wireless terminal regularly receives packet signals, wherein when said radio-signal base station receives packet signals addressed to a mobile wireless terminal being in said power-saving mode, said radio-signal base station temporarily stores the received packet signals until said mobile wireless terminal requests said radio-signal base station to transmit said packet signals thereto, and said mobile wireless

**terminal requests said radio-signal base station to transmit said packet signals thereto and transfers to said normal mode from said power-saving mode, if said mobile wireless terminal judges that the received packet signals are packet signals to be received in real-time communication,** said mobile wireless terminal receives entirety of said packet signals in said normal mode, and said mobile wireless terminal transfers to said power-saving mode when said packet signals have been all received in real-time communication.” (emphasis added; similar language appears in independent claims 41 and 66).

The Office Action correctly states that “Funato et al. do not disclose said mobile wireless terminal requests said radio signal base station to transmit said packet signals thereto and transfers to said normal mode from said power-saving mode, if said mobile wireless terminal judges that the received packet signals are packet signals to be received in real-time communication, said mobile wireless terminal receives entirety of said packet signals in normal mode, and said mobile wireless terminal transfers to said power-saving mode when said packet signals have been all received in real-time communication.” (page 3, 1<sup>st</sup> paragraph)

The Office Action refers to Criss to teach this feature, specifically referring to the initiation of software updates (Figure 21). There is no real-time communication involved in this process. Rather, it is determined whether it is time for a scheduled update, and accordingly steps are taken to update the software of the mobile terminal. Specifically, the “process causes the battery to provide full operating power to all of the components of the mobile terminal” if the terminal was in a sleep mode (paragraph 0136). The software of the mobile terminal is then updated, and the processor returns the mobile terminal to return to a sleep mode if it previously has been in such a mode. There is no indication of real-time communication with the terminal, and certainly no indication of a real-time communication protocol such as real-time transport protocol, as in claims 26, 28, 29, 52, 77 and 79. Pre-scheduled software updates, and real-time communication to mobile terminals are two distinct types of communication. The latter requires the usage of specific protocols, and is directed to communications involving streaming music and other types of media.

Further, there is no indication that the mobile terminal of Criss judges what type of packet signals are being received, as required in the independent claims, and changes power modes or requests packet transmission accordingly. Rather, as stated above, the processor of Criss changes the state of the mobile terminal. Thus, there is no teaching or suggestion in Criss of a mobile terminal judging the type of packet received.

Thus, Funato and Criss fail to teach all of the features of the independent claims, specifically failing to teach “said mobile wireless terminal requests said radio-signal base station to transmit said packet signals thereto and transfers to said normal mode from said power-saving mode, if said mobile wireless terminal judges that the received packet signals are packet signals to be received in real-time communication, said mobile wireless terminal receives entirety of said packet signals in said normal mode, and said mobile wireless terminal transfers to said power-saving mode when said packet signals have been all received in real-time communication.” (Independent claim 15, similar language appears in independent claims 41 and 66). If this rejection is maintained, the Examiner is respectfully requested to point out where this feature is found in either Funato or Criss.

The dependent claims are also patentable for at least the same reasons as the independent claims on which they ultimately depend. In addition, they recite additional patentable features when considered as a whole. As mentioned above, Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

Shoobridge does not make up for the deficiencies of Funato and Criss as detailed above. There is no discussion of communication protocols, or real-time communication in Shoobridge, or of a mobile terminal judging that the packets indicate such communication. Thus, Shoobridge also fails to teach or suggest “said mobile wireless terminal requests said radio-signal base station to transmit said packet signals thereto and transfers to said normal mode from said power-saving mode, if said mobile wireless terminal judges that the received packet signals are packet signals to be received in real-time communication, said mobile wireless terminal receives entirety of said packet signals in said normal mode, and said mobile wireless terminal transfers to said power-saving mode when said packet signals have

been all received in real-time communication.” (Independent claim 15, similar language appears in independent claims 41 and 66). If this rejection is maintained, the Examiner is respectfully requested to point out where this feature is found in either Shoobridge, Funato or Criss.

**Conclusion:**

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. § 1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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